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14 UNITED STATES DISTRICT COURT
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16 NORTHERN DISTRICT OF CALIFORNIA
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18 OAKLAND DIVISION

19 UNITED STATES OF AMERICA,) No. CR 09-00868 CW
20 Plaintiff,)
21 v.) ORDER EXCLUDING TIME PURSUANT
22 AGUSTIN ORDAZ,) TO THE SPEEDY TRIAL ACT
23 a/k/a "Augustin Ordaz-Villagomez,") Date: October 7, 2010
24 Defendant.) Time: 10:00 a.m.
25) Court: Hon. Donna M. Ryu

26 The defendant, Agustin Ordaz, represented by Nicholas Reyes, and the government,
27 represented by Wade M. Rhyne, Assistant United States Attorney, appeared before United States
28 Magistrate Judge Donna M. Ryu on October 7, 2010 for a trial setting in the above-entitled
matter. Counsel for the defendant confirmed that he was continuing to investigate the case and
needed more time to do so. Both parties agreed that they would need additional time to prepare
the case for trial but that they would be ready for trial on January 7, 2011.

ORDER
No. CR-09-00868-CW

1 On that basis, the parties requested that the matter be set for trial on January 7, 2011 and
2 that time be excluded under the Speedy Trial Act between October 7, 2010 and January 7, 2011.

3 Based upon the representation of counsel and for good cause shown, the Court finds that
4 failing to exclude the time between October 7, 2010 and January 7, 2011 would unreasonably
5 deny the defendant continuity of counsel and would deny counsel the reasonable time necessary
6 for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
7 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
8 between October 7, 2010 and January 7, 2011 from computation under the Speedy Trial Act
9 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
10 3161(h)(7)(A). Therefore, IT IS HEREBY ORDERED that the time between October 7, 2010
11 and January 7, 2011 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.
12 § 3161(h)(7)(A) and (B)(iv).

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14 DATED: 10/12/2010


HON. DONNA M. RYU
United States Magistrate Judge

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28 ORDER
No. CR-09-00868-CW